



## City of Folsom Accessory Dwelling Unit Ordinance Frequently Asked Questions

### Questions:

- What is an ADU?
- What is a Junior Accessory Dwelling Unit?
- How many ADUs can I build on my property?
- Where can I build an ADU on my property?
- Is there a minimum lot size or width required to build an ADU?
- How large can my ADU be?
- How tall can an ADU be?
- How is building height measured?
- Can I build an ADU on top of my garage?
- What is the process for getting an ADU approved?
- What permits do I need?
- Is parking required?
- What are the minimum setbacks?
- Do lot coverage requirements apply to ADUs?
- Are fire sprinklers required?
- Is solar required?
- What kind of cooking facilities or kitchen is required?
- Are separate utilities required for my ADU?
- Does my ADU require a separate address?
- What fees are required?
- Are there certain design requirements?
- Are there special design requirements for an ADU in the Historic District?
- Does my ADU have to match my home?
- Should I hire a professional to design my ADU?
- Does a tiny home on wheels qualify as an ADU?
- Who can live in my ADU?
- Can my ADU be used as a vacation rental?
- Who can I contact with questions?

## What is an ADU?

An Accessory Dwelling Unit (ADU) is a second, smaller dwelling that can be built on a property already occupied by a single-family home or an apartment building. ADUs provide independent living for one or more people, including permanent facilities for living, sleeping, eating, cooking, and sanitation. ADUs must have an exterior entrance and be placed on a permanent foundation. There are several different types of ADUs. They can be separate structures, detached from the main residence (detached ADU) or an addition to the residence (attached). They can also be internal to the residence through the conversion of an existing bedroom, basement, attic, or other room in the house. Existing structures such as garages or accessory structure can also be converted to become an ADU.

## What is a Junior Accessory Dwelling Unit?

A Junior ADU (JADU) involves conversion of space within an existing or proposed home resulting in a living unit of not more than 500 sq. ft. The JADU must include an exterior entrance, an efficiency kitchen (sink and microwave or hotplate), and access to a bathroom. Either the JADU or primary dwelling unit must be lived in by the owner, and a deed restriction must be filed with Sacramento County that states this requirement. A sample deed restriction form is available in the Documents and Resources section of the City's ADU webpage ([www.folsom.ca.us/adu](http://www.folsom.ca.us/adu)).

## How many ADUs can I build on my property?

If your property is zoned for residential development, then you are limited to the following numbers of ADUs:

- Single-Unit Zoning (R-1-L, R-1-ML, R-1-M, etc.):
  - 1 Junior ADU (JADU):
  - 1 Detached or internal ADU
- Multi-Unit or Mixed-Use Zoning\* (i.e., R-2, R-3, R-4, MU, etc.):
  - 2 Detached ADUs per lot; and
  - The conversion of space in the multi-unit building to allow for up to 25% of existing units in building or one unit, whichever is greater.

*\* Change of Occupancy regulations for the California Existing Building Code (CEBC) may apply when adding ADUs.*

### Where can I build an ADU on my property?

You can build an ADU anywhere on your property so long as it meets the front, side and rear setback requirements. Detached ADUs cannot be in front of the main residence unless there is no other location to place an ADU that is 800 square feet or less and 16 feet tall or less.

### Is there a minimum lot size or width required to build an ADU?

No. There is no minimum lot size or width required.

### How large can my ADU be?

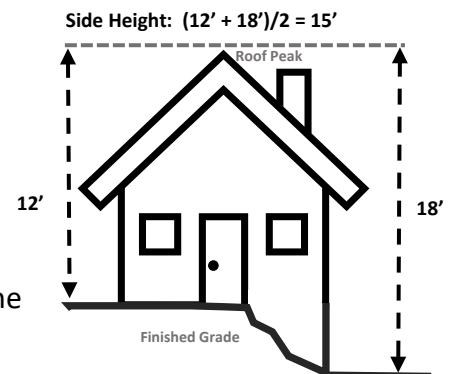
Studio and one-bedroom ADUs can be no larger than 850 square feet while ADUs with two or more bedrooms can be no larger than 1,000 square feet. Junior ADU that are located inside an existing home can be no larger than 500 square feet. ADUs attached to the main home can have a floor area of up to 50 percent of the existing primary dwelling up to 850 square feet for a one-bedroom ADU or 1,000 square feet for an attached ADU with two or more bedrooms.

### How tall can an ADU be?

An ADU cannot exceed an average of 30 feet in height (measured from finished grade to the peak of the roof), or the height of the home whichever is less. In the Historic District, an ADU cannot exceed an average of 25 feet in height or the height of the home, whichever is less. Please be aware that any ADU taller than 16 feet is subject to design review. For an ADU taller than 16 feet located in the Historic District, design review involves meeting design standards in the ADU Ordinance, a public notice, and a Historic District Commission hearing. If an ADU taller than 16 feet is located anywhere else in Folsom, design review involves meeting design standards in the ADU Ordinance, a public notice, and a Director-level hearing before you can apply for a building permit.

### How is building height measured?

Building height is measured from the finished grade to the peak of the roof. For structures built on a slope, the height is measured at each side of the building then added together and divided by the total number of sides. In the image on the right, the height of two sides is 15 feet, while the other sides are 12 feet and 18 feet. Those heights are added together and divided by the number of sides to determine the average



building height. In this example, the height for each of the four sides is 12 feet, 15 feet, 15 feet, and 18 feet. So, the height of the detached ADU is 15 feet ( $60'/4 = 15'$ ).

### **Can I build an ADU on top of my garage?**

Yes, but any ADU taller than 16 feet is subject to design review. In the Historic District, any ADU taller than 16 feet must receive design review approval from the Historic District Commission. An ADU located elsewhere in the City is subject to design review by the Community Development Director.

### **What is the process for getting an ADU approved?**

If your ADU is less than 800 square feet and less than 16 feet tall or is internal to the existing home then you can apply for a building permit using the City's [ePermit Center](#) or can visit the Community Development Department's Permit Counter at City Hall. Existing detached structures that are converted to an ADU also only require a building permit unless you are increasing the height of the structure. If your ADU is larger than 800 square feet or taller than 16 feet, then a [design review application](#) and fee (\$58) are required. Along with your design review application, you will be asked to submit your elevations, a site plan, and a floor plan to the Planning Division for design review approval before you can apply for a building permit.

### **What permits do I need?**

If your ADU is less than 800 square and less than 16 feet tall or is internal to the home or in an existing detached structure, then all you need is a building permit. If your ADU is larger or taller than that then you must receive design review approval from Planning, or the Historic District Commission in the case of an ADU taller than 16 feet in the Historic District, before you can apply for a building permit.

### **Is parking required?**

In many cases parking for the ADU is not required. If your ADU is located in the Historic District, located ½-mile walking distance from a bus stop or light rail stop, or there is a car-share program in your neighborhood then no parking is required.

In addition, if you have converted a garage or other existing accessory structure into an ADU, then no parking is required. For converted garages, no replacement parking is required for the primary residence either.

If none of these apply, then one (1) off-street parking space is required. See the map on the ADU website ([www.folsom.ca.us/adu](http://www.folsom.ca.us/adu)) for areas of the City where parking is required. Your off-street parking space may be on your driveway or in a tandem space. It does not need to be covered or in a garage but must be on a paved surface. If you are expanding your driveway to provide additional parking, additional paving of the front driveway is subject to the requirements of Section 10.20.470 (Parking on lawns and yards).

### **What are the minimum setbacks?**

An ADU must be at least 4 feet from the side and rear property lines. The front yard setback must be the same as required for the zoning district of your property. No ADU can extend beyond a four-foot interior and street-side side yard setback. Whenever possible, your ADU should be located to the side or rear of the property and not in front of your main residence. An ADU cannot encroach into a recorded easement on the property. In addition, a detached ADU must be six feet from the main residence and other existing accessory structures. Please be aware that for any structure located less than 5 feet from a property line, additional building code requirements may apply such as fire-rated walls, no roof overhangs, no doors on that side, etc.

### **Do lot coverage requirements apply to ADUs?**

No. Lot coverage requirements do not apply to any ADU that is 800 square feet or less and 16 feet tall or less and that has 4-foot side and rear yard setbacks. However, any ADU larger than that must meet the rear lot coverage requirement in the ADU Ordinance (refer to Section 17.105.110(F) of the ADU Ordinance).

### **Are fire sprinklers required?**

If the main residence is required to have fire sprinklers, then the ADU must have fire sprinklers. If not, then no sprinklers are required.

### **Is solar required?**

Yes, solar is required for new detached residential structures. If the ADU is attached to the main residence, then solar is not required.

### **What kind of cooking facilities or kitchen is required?**

An ADU or JADU must, at a minimum, have an efficiency kitchen. An efficiency kitchen includes the following:

1. A sink with a drain.
2. A cooking facility with appliances (such as a microwave or hot plate).
3. Counter space to prepare food.
4. Cabinet(s) to store food.

An ADU can have a full kitchen with an oven, stove top, refrigerator, dishwasher, etc. but that is not required.

### **Are separate utilities required for the ADU?**

No. In most cases the existing utilities serving the home or multi-family structure can be used to serve the ADU.

### **Does my ADU require a separate address?**

Yes. All new ADUs must have their own address. If one ADU is on the property, then it should have the same address as the main residence followed by 1/2. For example, if the address of the main residence is 50 Natoma Street, the ADU address would be 50 ½ Natoma Street. For a property with more than one housing unit or more than one ADU, use the property address followed by A, B, etc. For example, 50 Natoma Street Unit A.

### **What fees are required?**

No impact fees can be charged for ADUs less than 750 square feet. Currently, the City does not charge impact fees for ADUs larger than 750 square feet. However, City review, processing, permit and inspection fees do apply to all ADUs regardless of size. The amount of the fee will depend whether the ADU only needs a building permit or if the ADU requires design review approval as well as a building permit.

### **Are there certain design requirements?**

If your ADU is less than 800 square feet and less 16 feet tall then there are no design requirements. If your ADU is larger than 800 square feet, then you must meet the objective design standards in the City's ADU Ordinance (Chapter 17.105 of the Folsom Municipal Code).

Please be aware there are objective design standards for ADUs larger than 800 square feet or taller than 16 feet in the Historic District. If your ADU is taller than 16 feet, then your ADU must go through design review.

### **Are there special design requirements for an ADU in the Historic District?**

If your ADU is greater than 800 square feet in size or taller than 16 feet, then your ADU must meet the design standards for the Historic District contained in the ADU Ordinance. An ADU taller than 16 feet must go through design review and be approved by the Historic District Commission before you can submit a building permit application. Design review is to ensure that larger ADUs address privacy issues and respect the historic nature of the District.

### **Does my ADU have to match my home?**

No. However, it is encouraged that your ADU have a similar design and color scheme to the main home, particularly if it is attached the primary residence.

### **Should I hire a professional to design my ADU?**

Although not required, staff recommends that you hire a professional to assist in the design process.

### **Does a tiny home on wheels qualify as an ADU?**

No. Tiny homes on wheels are considered recreational vehicles or campers by the building code. Because they do not meet state and local building code requirements, tiny homes on wheels are not considered ADUs under the City's Municipal Code. ADUs must be built on permanent foundations.

### **Who can live in my ADU?**

Anyone can live in an ADU. An ADU can be rented out to anyone or lived in by friends or family members.

### **Can my ADU be used as a vacation rental?**

No. Any ADU that is for rent must be rented for a term longer than 30 days.

**Who can I contact with questions?**

For questions about ADUs, please contact the Planning Division in the Community Development Department at [Planningcounter@folsom.ca.us](mailto:Planningcounter@folsom.ca.us) or at (916) 461-6202.